



Document 2358

Filed 08/28/2007

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JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONDISTRICT COURT  
FILED

SEP 05 2007

AUG - 8 2007

FILED  
CLERK'S OFFICE**UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****MDL NO. 1708*****IN RE Guidant Corp. Implantable Defibrillators Products Liability Litigation******(SEE ATTACHED SCHEDULE)*****CONDITIONAL TRANSFER ORDER (CTO-40)**

On November 7, 2005, the Panel transferred four civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 398 F.Supp.2d 1371 (J.P.M.L. 2005). Since that time, 462 additional actions have been transferred to the District of Minnesota. With the consent of that court, all such actions have been assigned to the Honorable Donovan W. Frank.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Minnesota and assigned to Judge Frank.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of November 7, 2005, and, with the consent of that court, assigned to the Honorable Donovan W. Frank.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

AUG 24 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON

SCANNED

AUG 28 2007

U.S. DISTRICT COURT MPLS

**SCHEDULE CTO-40 - TAG-ALONG ACTIONS**

**MDL NO. 1708**

**IN RE Guidant Corp. Implantable Defibrillators Products Liability Litigation**

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA MIDDLE

~~ALM 3 07-661~~ ~~Sue F. Bradley v. Guidant Corp., et al.~~ Opposed 8/23/07

FLORIDA MIDDLE

FLM 6 07-1171

Francis R. Dumke, etc. v. Guidant Corp. 07-3823

FLM 8 07-1238

Kristina Kelly, etc. v. Guidant Corp., et al. 07-3824

ILLINOIS SOUTHERN

ILS 3 07-518

Edward Alexander, et al. v. Guidant Corp., et al. 07-3825

ILS 3 07-522

Wilbur Acton, et al. v. Guidant Corp., et al. 07-3826

INDIANA SOUTHERN

INS 1 07-933

Beth A. Thomas, etc. v. Cardiac Pacemakers, Inc. 07-3827

NEW JERSEY

NJ 3 07-3273

Irwin M. Fine, et al. v. Guidant Corp. 07-3828

NEW YORK SOUTHERN

NYS 1 07-6311

Charles Dodgson, et al. v. Guidant Corp., et al. 07-3829

OHIO SOUTHERN

OHS 2 07-679

Walter G. Reed, etc. v. Guidant Corp., et al. 07-3830